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Attorneys for Anne E. Lopez, in her official capacity as Attorney General of Hawai‘i

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI‘I

PETER ROA, and

DIRCK SIELKEN,

Plaintiffs,

v.

ANNE E. LOPEZ, in her official capacity as Attorney General of Hawai‘i,

Defendant.

CIVIL ACTION NO. 23-00079 DKW-RT

**STIPULATION AND ORDER**

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Plaintiffs, PETER ROA AND DIRCK SIELKEN (“**Plaintiffs**”), together with Defendant ANNE E. LOPEZ (“**Defendant**”), in her official capacity as Attorney General of Hawai‘i (collectively the “**Parties**”), by and through undersigned counsel, hereby stipulate and agree as follows:

**WHEREAS**, On February 10, 2023, Plaintiffs filed a complaint in the above captioned case, which, in sum, alleges the State of Hawaii’s (“State”) ban on switchblade knives, pursuant to Hawaii Revised Statute (HRS) §§ 134-51-52, violates the Second Amendment to the United States Constitution (the “**Complaint**”);

**WHEREAS**, on April 10, 2019, a complaint was filed in *Teter v. Connors*, case number 19-cv-00183-ACK-WRP (*Teter*), that alleged the State’s ban on butterfly knives, pursuant to HRS § 134-53, violates the Second Amendment to the United States Constitution;

**WHEREAS**, on May 13, 2020, Senior United States District Judge Alan C. Kay granted the State’s Motion for Summary Judgement in *Teter* and held that the State’s ban on butterfly knives pursuant to HRS § 134-53 does not violate the Second Amendment, and therefore is not unconstitutional (Order Granting Summary Judgment);

**WHEREAS**, on February 14, 2023 the Ninth Circuit Court of Appeals heard oral argument in *Teter v. Connors*, Case Number 20-15948, an appeal from

the *Teter* Order Granting Summary Judgment, and a decision from the Ninth Circuit Court of Appeals is pending;

**WHEREAS**, the Parties wish to avoid the unnecessary expenditure of litigant and judicial resources;

**NOW, THEREFORE**, the Parties stipulate and agree as follows:

1. This action, and all associated deadlines and proceedings, shall be stayed pending the Ninth Circuit's decision in *Teter*.

DATED: March 29, 2023.

/s/ Alan A. Beck  
ALAN A. BECK

/s/ Richard L. Holcomb  
RICHARD L. HOLCOMB  
Attorneys for Plaintiffs Peter  
Roa and Dirk Sielken

DATED: March 29, 2023.

/s/ Trista N. Speer  
CRAIG y. IHA  
TRISTA N. SPEER  
Attorneys for Defendant Anne  
E. Lopez, in her official  
capacity as Attorney General of  
Hawai‘i

DATED: March 30, 2023 at Honolulu, Hawai‘i.

**APPROVED AND SO ORDERED:**

/s/ Derrick K. Watson  
Judge of the above-entitled Court



*Roa, and Dirck Sielken, v. ANNE E. LOPEZ, in her official capacity as Attorney General of Hawai‘i, 1:23-cv-00079-DKW-RT; STIPULATION AND ORDER*